

ORDINANCE NO. 4012

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING ECC SECTIONS 5.32.107 AND 5.32.108 TO REVISE THE "STATE REGULATIONS ON TAKING AND POSSESSION OF SHELLFISH ADOPTED BY REFERENCE" AND "DUTIES OF POLICE OFFICERS TO ENFORCE SHELLFISH VIOLATIONS" PROVISIONS OF THOSE CODE SECTIONS TO REFERENCE TITLE 77 RCW; PROVIDING FOR SEVERABILITY; AND SETTING AN EFFECTIVE DATE.

WHEREAS, after review and discussion, the City Council has determined it appropriate to amend Sections 5.32.107 and 5.32.108 of the Edmonds City Code ("ECC") to revise the "State Regulations on Taking and Possession of Shellfish Adopted by Reference" and "Duties of Police Officers to Enforce Shellfish Violations" provisions of those code sections to reference Title 77 RCW, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. Section 5.32.107 of the ECC, entitled "State regulations on taking and possession of shellfish adopted by reference," is hereby amended to read as follows (new language is underlined; deleted text is shown in strikethrough):

5.32.107 State regulations on taking and possession of shellfish adopted by reference.

The following sections of the Washington Administrative Code and the Revised Code of Washington regulating the taking of and possession of shellfish are hereby adopted by this reference as fully as if herein set forth:

A. ~~Chapter 75.10 RCW in its entirety—Enforcement—Penalties; Chapter 77.15 RCW in its entirety – Fish and Wildlife Enforcement Code;~~

B. Shellfish General Provisions.

WAC

220-56-310 Shellfish – Daily Bag Limits

220-56-312 Shellfish – Possession Limits

C. Hard/Soft Shell Clams.

WAC

220-56-355(3) Undersized Clams (1-1/2" Minimum)

220-56-~~335~~355(1) Failure to Fill Clamming Holes

220-56-340 Illegal Gear

D. Geoducks.

WAC

220-56-310(3) Over Possession Limit (3 Clams)

220-56-355(2) Possession of Necks Only

220-56-340 Illegal Gear (No Mechanical Harvesting)

E. Crabs.

WAC

220-56-310(~~18~~16) Possession of Over (~~65~~) Dungeness Crabs

220-56-310(~~19~~17) Possession of Over (~~126~~) Red Rock Crab

220-56-335(1) Possession of Female/~~Soft~~ Dungeness

220-56-335(2) Undersize Dungeness Crab

220-56-335(3) Undersize Red Rock Crab

220-56-335(4) Measurement of Crab

220-56-335(~~45~~) Possession of Crab/Back Removed

220-56-335(6) Possession of Softshell Crab

220-56-330 Closed Season/Area-Pot Closure

F. Chapter 77.32 RCW in its entirety – Licenses

Section 2. Section 5.32.108 of the ECC, entitled "Duties of police officers to enforce shellfish violations," is hereby amended to read as follows (new language is underlined; deleted text is shown in strikethrough):

5.32.108 Duties of police officers to enforce shellfish violations.


Pursuant to RCW ~~75.10.010-77.08.010~~(18), all city of Edmonds commissioned police officers with the primary function of enforcing criminal laws in general shall be deemed "ex officio" ~~fisheries patrol~~ fish and wildlife officers for the purpose of enforcement of adopted shellfish regulations.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other

section, sentence, clause or phrase of this ordinance.

Section 4. Effective Date. This ordinance, being an administrative function of the city council, is not subject to referendum and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

APPROVED:


MAYOR, DAVID O. EARLING

ATTEST/AUTHENTICATED:


CITY CLERK, SCOTT PASSEY

APPROVED AS TO FORM:


OFFICE OF THE CITY ATTORNEY

FILED WITH THE CITY CLERK:	November 25, 2015
PASSED BY THE CITY COUNCIL:	December 1, 2015
PUBLISHED:	December 6, 2015
EFFECTIVE DATE:	December 11, 2015
ORDINANCE NO.	4012

SUMMARY OF ORDINANCE NO. 4012

of the City of Edmonds, Washington

On the 1st day of December, 2015, the City Council of the City of Edmonds, passed Ordinance No. 4012. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING ECC SECTIONS 5.32.107 AND 5.32.108 TO REVISE THE "STATE REGULATIONS ON TAKING AND POSSESSION OF SHELLFISH ADOPTED BY REFERENCE" AND "DUTIES OF POLICE OFFICERS TO ENFORCE SHELLFISH VIOLATIONS" PROVISIONS OF THOSE CODE SECTIONS TO REFERENCE TITLE 77 RCW; PROVIDING FOR SEVERABILITY; AND SETTING AN EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.

DATED this 2nd day of December, 2015.


CITY CLERK, SCOTT PASSEY

Everett Daily Herald

Affidavit of Publication

State of Washington }
County of Snohomish } ss

Kathleen Landis being first duly sworn, upon oath deposes and says: that he/she is the legal representative of the Everett Daily Herald a daily newspaper. The said newspaper is a legal newspaper by order of the superior court in the county in which it is published and is now and has been for more than six months prior to the date of the first publication of the Notice hereinafter referred to, published in the English language continually as a daily newspaper in Snohomish County, Washington and is and always has been printed in whole or part in the Everett Daily Herald and is of general circulation in said County, and is a legal newspaper, in accordance with the Chapter 99 of the Laws of 1921, as amended by Chapter 213, Laws of 1941, and approved as a legal newspaper by order of the Superior Court of Snohomish County, State of Washington, by order dated June 16, 1941, and that the annexed is a true copy of EDH672379 ORDINANCE 4012 as it was published in the regular and entire issue of said paper and not as a supplement form thereof for a period of 2 issue(s), such publication commencing on 12/06/2015 and ending on 12/06/2015 and that said newspaper was regularly distributed to its subscribers during all of said period.

The amount of the fee for such publication is \$30.96.

Kathleen Landis

Subscribed and sworn before me on this

8 day of Dec,
2015.

Debra Ann Grigg

Notary Public in and for the State of Washington.

City of Edmonds - LEGAL ADS | 14101416
SCOTT PASSEY

RECEIVED

DEC 10 2015

EDMONDS CITY CLERK

DEBRA ANN GRIGG
Notary Public
State of Washington
My Commission Expires
October 31, 2017

SUMMARY OF ORDINANCE
of the City of Edmonds, Washington

On the 1st day of December, 2015, the City Council of the City of Edmonds, passed Ordinance No. 4012. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING ECC SECTIONS 5.32.107 AND 5.32.108 TO REVISE THE "STATE REGULATIONS ON TAKING AND POSSESSION OF SHELLFISH ADOPTED BY REFERENCE" AND "DUTIES OF POLICE OFFICERS TO ENFORCE SHELLFISH VIOLATIONS" PROVISIONS OF THOSE CODE SECTIONS TO REFERENCE TITLE 77 RCW; PROVIDING FOR SEVERABILITY; AND SETTING AN EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.
DATED this 2nd day of December, 2015.

CITY CLERK, SCOTT PASSEY

Published: December 6, 2015. EDH672379

RECEIVED

DEC 10 2015

EDMONDS CITY CLERK